

REMARKS

This is in response to the Office Action of June 22, 2005. By this Amendment, claims 1, 9, 10, and 24 are amended. No claim has been cancelled. Claims 1 and 24 are the only independent claims.

As a result of an election of species requirement, claims 12-23 and 35-46 stand withdrawn from further consideration because they are drawn to non-elected species. However, upon the allowance of a generic claim, which is respectfully submitted to now exist, these claims should be allowed.

In the first Office Action, the Examiner rejected claim 9 as indefinite. Claim 9 has been amended to avoid recitation of the supporting surface as a positively recited element. Claim 10 has been similarly amended. Thus, the rejection under §112 is believed fully obviated.

In the first Office Action, the Examiner rejected claims 1, 2, 4-11, 24, 25, and 27-34 as unpatentable over Lowry et al. U.S. Patent No. 6,568,112, in view of the Berry, Jr. U.S. Patent No. 3,977,109. Claims 3 and 26 were further rejected as unpatentable over the same combination, further in view of Matteau et al., U.S. Patent No. 6,266,907. Reconsideration is respectfully requested.

Claim 1 has been amended to recite that the support member of the sign holder assembly comprises a unitary backing member and a cover, the cover being integral with the backing member. Further, the integral backing member and cover are recited to be pivotally interconnected by an integral hinge. Thus, the support member is a one-piece structure. The sign, however, is a separate element that is insertable into the cover of the support member.

The Lowry '112 patent is totally different in structure and function. The Examiner contends that Lowry shows a "backing member" 18 and a cover 60 that is interconnected by a hinge 52. This is incorrect. In Lowry, the sign holder or "cover" 60 is snapped into pockets on the so-called backing member. There is no hinge

connection therebetween. Once connected, the "cover" or sign holder 60 does not rotate or move at all relative to the element 18. The lip member 52 of Lowry is, thus, not a hinge and there is no pivoting between the cover or sign holder 60, and the so-called backing member 18, which is really a cover member. Although the entire combined cover member 18 and sign holder 60 can be rotated or tilted downwardly together, there is no relative pivotal movement between the sign holder 60 and the member 18. Indeed, in Lowry, the sign holder 60 is a spring clip type of sign holder, as is described in column 5, lines 1-11. The spring clip has edge portions that are snappingly engaged in the sign holder receiving pockets of element 18. This is a two-piece assembly and there is absolutely no hinge therebetween.

The Berry patent is also entirely distinct. Although Berry does have tabs 28, these tabs do not hold a sign to a "support". In Berry, the display device is a single unit formed from a blank with fold lines that are folded to form a display device. The tabs 28 of Berry do not affix or hold a separate sign element to a separate support member.

It is respectfully submitted that the Examiner has reconstructed the present invention from two distinct patents that have little or no relationship to each other. It is simply inconceivable that a person of ordinary skill in the art, having the Lowry and Berry patents before such person, would know to combine them in a manner to come up with the subject matter of the present invention. No such combination could be formed without an inconceivable amount of hindsight.

The Matteau et al. patent does not add anything to overcome the total hindsight combination of Lowry and Berry.

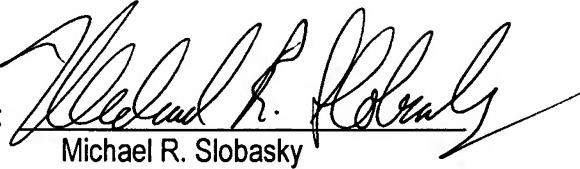
It is respectfully submitted that the claim amendments clearly distinguish over the prior art and this application is now in condition for allowance. Should the Examiner have any questions after reviewing this

Amendment, he is cordially invited to telephone the undersigned attorneys so that an early Notice of Allowance may be received.

Respectfully submitted,

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